



General Assembly

January Session, 2005

Raised Bill No. 1123

LCO No. 3674

03674_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT ADOPTING THE UNIFORM ARBITRATION ACT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2005*) Sections 1 to 35,
2 inclusive, of this act may be cited as the "Uniform Arbitration Act".

3 Sec. 2. (NEW) (*Effective October 1, 2005*) As used in sections 1 to 35,
4 inclusive, of this act:

5 (1) "Arbitration organization" means an association, agency, board,
6 commission or other entity that is neutral and initiates, sponsors or
7 administers an arbitration proceeding or is involved in the
8 appointment of an arbitrator.

9 (2) "Arbitrator" means an individual appointed to render an award,
10 alone or with others, in a controversy that is subject to an agreement to
11 arbitrate.

12 (3) "Court" means the Superior Court.

13 (4) "Knowledge" means actual knowledge.

14 (5) "Person" means an individual, corporation, business trust, estate,
15 trust, partnership, limited liability company, association, joint venture,
16 government; governmental subdivision, agency or instrumentality;
17 public corporation; or any other legal or commercial entity.

18 (6) "Record" means information that is inscribed on a tangible
19 medium or that is stored in an electronic or other medium and is
20 retrievable in perceivable form.

21 Sec. 3. (NEW) (*Effective October 1, 2005*) (a) Except as otherwise
22 provided in sections 10, 16, 20, 21 and 24 to 26, inclusive, of this act, a
23 person gives notice to another person by taking action that is
24 reasonably necessary to inform the other person in ordinary course,
25 whether or not the other person acquires knowledge of the notice.

26 (b) A person has notice if the person has knowledge of the notice or
27 has received notice.

28 (c) A person receives notice when it comes to the person's attention
29 or the notice is delivered at the person's place of residence or place of
30 business, or at another location held out by the person as a place of
31 delivery of such communications.

32 Sec. 4. (NEW) (*Effective October 1, 2005*) (a) Sections 1 to 35, inclusive,
33 of this act govern an agreement to arbitrate made on or after the
34 effective date of this section.

35 (b) Sections 1 to 35, inclusive, of this act govern an agreement to
36 arbitrate made before the effective date of this section if all the parties
37 to the agreement or to the arbitration proceeding so agree in a record.

38 (c) On and after October 1, 2006, sections 1 to 35, inclusive, of this
39 act govern an agreement to arbitrate whenever made.

40 Sec. 5. (NEW) (*Effective October 1, 2005*) (a) Except as otherwise
41 provided in subsections (b) and (c) of this section, a party to an
42 agreement to arbitrate or to an arbitration proceeding may waive, or

43 the parties may vary the effect of, the requirements of sections 1 to 35,
44 inclusive, of this act to the extent permitted by law.

45 (b) Before a controversy arises that is subject to an agreement to
46 arbitrate, a party to the agreement may not:

47 (1) Waive or agree to vary the effect of the requirements of
48 subsection (a) of section 6, subsection (a) of section 7, section 9,
49 subsection (a) or (b) of section 18 or section 28 or 30 of this act;

50 (2) Agree to unreasonably restrict the right under section 10 of this
51 act to notice of the initiation of an arbitration proceeding;

52 (3) Agree to unreasonably restrict the right under section 13 of this
53 act to disclosure of any facts by a neutral arbitrator; or

54 (4) Waive the right under section 17 of this act of a party to an
55 agreement to arbitrate to be represented by a lawyer at any proceeding
56 or hearing under sections 1 to 35, inclusive, of this act, but an employer
57 and a labor organization may waive the right to representation by a
58 lawyer in a labor arbitration.

59 (c) A party to an agreement to arbitrate or arbitration proceeding
60 may not waive, or the parties may not vary the effect of, the
61 requirements of this section or subsection (a) or (c) of section 4, section
62 8, 15 or 19, subsection (d) or (e) of section 21, section 24, 25 or 26,
63 subsection (a) or (b) of section 27 or sections 31 to 35, inclusive, of this
64 act.

65 Sec. 6. (NEW) (*Effective October 1, 2005*) (a) Except as otherwise
66 provided in section 30 of this act, an application for judicial relief
67 under sections 1 to 35, inclusive, of this act must be made by motion to
68 the court and heard in the manner provided by law or rule of court for
69 making and hearing motions.

70 (b) Unless a civil action involving the agreement to arbitrate is
71 pending, notice of an initial motion to the court under sections 1 to 35,

72 inclusive, of this act must be served in the manner provided by law for
73 the service of a summons in a civil action. Otherwise, notice of the
74 motion must be given in the manner provided by law or rule of court
75 for serving motions in pending cases.

76 Sec. 7. (NEW) (*Effective October 1, 2005*) (a) An agreement contained
77 in a record to submit to arbitration any existing or subsequent
78 controversy arising between the parties to the agreement is valid,
79 enforceable and irrevocable except upon a ground that exists at law or
80 in equity for the revocation of a contract.

81 (b) The court shall decide whether an agreement to arbitrate exists
82 or a controversy is subject to an agreement to arbitrate.

83 (c) An arbitrator shall decide whether a condition precedent to
84 arbitrability has been fulfilled and whether a contract containing a
85 valid agreement to arbitrate is enforceable.

86 (d) If a party to a judicial proceeding challenges the existence of, or
87 claims that a controversy is not subject to, an agreement to arbitrate,
88 the arbitration proceeding may continue pending final resolution of
89 the issue by the court, unless the court otherwise orders.

90 Sec. 8. (NEW) (*Effective October 1, 2005*) (a) On motion of a person
91 showing an agreement to arbitrate and alleging another person's
92 refusal to arbitrate pursuant to the agreement:

93 (1) If the refusing party does not appear or does not oppose the
94 motion, the court shall order the parties to arbitrate; and

95 (2) If the refusing party opposes the motion, the court shall proceed
96 summarily to decide the issue and order the parties to arbitrate unless
97 it finds that there is no enforceable agreement to arbitrate.

98 (b) On motion of a person alleging that an arbitration proceeding
99 has been initiated or threatened but that there is no agreement to
100 arbitrate, the court shall proceed summarily to decide the issue. If the

101 court finds that there is an enforceable agreement to arbitrate, it shall
102 order the parties to arbitrate.

103 (c) If the court finds that there is no enforceable agreement, it may
104 not, pursuant to subsection (a) or (b) of this section, order the parties to
105 arbitrate.

106 (d) The court may not refuse to order arbitration because the claim
107 subject to arbitration lacks merit or grounds for the claim have not
108 been established.

109 (e) If a proceeding involving a claim referable to arbitration under
110 an alleged agreement to arbitrate is pending in court, a motion under
111 this section must be made in that court. Otherwise, a motion under this
112 section may be made in any court as provided in section 29 of this act.

113 (f) If a party makes a motion to the court to order arbitration, the
114 court on just terms shall stay any judicial proceeding that involves a
115 claim alleged to be subject to the arbitration until the court renders a
116 final decision under this section.

117 (g) If the court orders arbitration, the court on just terms shall stay
118 any judicial proceeding that involves a claim subject to the arbitration.
119 If a claim subject to the arbitration is severable, the court may limit the
120 stay to that claim.

121 Sec. 9. (NEW) (*Effective October 1, 2005*) (a) Before an arbitrator is
122 appointed and is authorized and able to act, the court, upon motion of
123 a party to an arbitration proceeding and for good cause shown, may
124 enter an order for provisional remedies to protect the effectiveness of
125 the arbitration proceeding to the same extent and under the same
126 conditions as if the controversy were the subject of a civil action.

127 (b) After an arbitrator is appointed and is authorized and able to act:

128 (1) The arbitrator may issue such orders for provisional remedies,
129 including interim awards, as the arbitrator finds necessary to protect

130 the effectiveness of the arbitration proceeding and to promote the fair
131 and expeditious resolution of the controversy, to the same extent and
132 under the same conditions as if the controversy were the subject of a
133 civil action; and

134 (2) A party to an arbitration proceeding may move the court for a
135 provisional remedy only if the matter is urgent and the arbitrator is not
136 able to act timely or the arbitrator cannot provide an adequate remedy.

137 (c) A party does not waive a right of arbitration by making a motion
138 under subsection (a) or (b) of this section.

139 Sec. 10. (NEW) (*Effective October 1, 2005*) (a) A person initiates an
140 arbitration proceeding by giving notice in a record to the other parties
141 to the agreement to arbitrate in the agreed manner between the parties
142 or, in the absence of agreement, by certified or registered mail, return
143 receipt requested and obtained, or by service as authorized for the
144 commencement of a civil action. The notice must describe the nature of
145 the controversy and the remedy sought.

146 (b) Unless a person objects for lack or insufficiency of notice under
147 subsection (c) of section 16 of this act not later than the beginning of
148 the arbitration hearing, the person by appearing at the hearing waives
149 any objection to lack of or insufficiency of notice.

150 Sec. 11. (NEW) (*Effective October 1, 2005*) (a) Except as otherwise
151 provided in subsection (c) of this section, upon motion of a party to an
152 agreement to arbitrate or to an arbitration proceeding, the court may
153 order consolidation of separate arbitration proceedings as to all or
154 some of the claims if:

155 (1) There are separate agreements to arbitrate or separate arbitration
156 proceedings between the same persons or one of them is a party to a
157 separate agreement to arbitrate or a separate arbitration proceeding
158 with a third person;

159 (2) The claims subject to the agreements to arbitrate arise in

160 substantial part from the same transaction or series of related
161 transactions;

162 (3) The existence of a common issue of law or fact creates the
163 possibility of conflicting decisions in the separate arbitration
164 proceedings; and

165 (4) Prejudice resulting from a failure to consolidate is not
166 outweighed by the risk of undue delay or prejudice to the rights of or
167 hardship to parties opposing consolidation.

168 (b) The court may order consolidation of separate arbitration
169 proceedings as to some claims and allow other claims to be resolved in
170 separate arbitration proceedings.

171 (c) The court may not order consolidation of the claims of a party to
172 an agreement to arbitrate if the agreement prohibits consolidation.

173 Sec. 12. (NEW) (*Effective October 1, 2005*) (a) If the parties to an
174 agreement to arbitrate agree on a method for appointing an arbitrator,
175 that method must be followed, unless the method fails. If the parties
176 have not agreed on a method, the agreed method fails, or an arbitrator
177 appointed fails or is unable to act and a successor has not been
178 appointed, the court, on motion of a party to the arbitration
179 proceeding, shall appoint the arbitrator. An arbitrator so appointed has
180 all the powers of an arbitrator designated in the agreement to arbitrate
181 or appointed pursuant to the agreed method.

182 (b) An individual who has a known, direct and material interest in
183 the outcome of the arbitration proceeding or a known, existing and
184 substantial relationship with a party may not serve as an arbitrator
185 required by an agreement to be neutral.

186 Sec. 13. (NEW) (*Effective October 1, 2005*) (a) Before accepting
187 appointment, an individual who is requested to serve as an arbitrator,
188 after making a reasonable inquiry, shall disclose to all parties to the
189 agreement to arbitrate and arbitration proceeding and to any other

190 arbitrators any known facts that a reasonable person would consider
191 likely to affect the impartiality of the arbitrator in the arbitration
192 proceeding, including:

193 (1) A financial or personal interest in the outcome of the arbitration
194 proceeding; and

195 (2) An existing or past relationship with any of the parties to the
196 agreement to arbitrate or the arbitration proceeding, their counsel or
197 representatives, a witness or another arbitrator.

198 (b) An arbitrator has a continuing obligation to disclose to all parties
199 to the agreement to arbitrate and arbitration proceeding and to any
200 other arbitrators any facts that the arbitrator learns after accepting
201 appointment which a reasonable person would consider likely to affect
202 the impartiality of the arbitrator.

203 (c) If an arbitrator discloses a fact required by subsection (a) or (b) of
204 this section to be disclosed and a party timely objects to the
205 appointment or continued service of the arbitrator based upon the fact
206 disclosed, the objection may be a ground under subdivision (2) of
207 subsection (a) of section 25 of this act for vacating an award made by
208 the arbitrator.

209 (d) If the arbitrator did not disclose a fact as required by subsection
210 (a) or (b) of this section, upon timely objection by a party, the court
211 under subdivision (2) of subsection (a) of section 25 of this act may
212 vacate an award.

213 (e) An arbitrator appointed as a neutral arbitrator who does not
214 disclose a known, direct and material interest in the outcome of the
215 arbitration proceeding or a known, existing and substantial
216 relationship with a party is presumed to act with evident partiality
217 under subdivision (2) of subsection (a) of section 25 of this act.

218 (f) If the parties to an arbitration proceeding agree to the procedures
219 of an arbitration organization or any other procedures for challenges to

220 arbitrators before an award is made, substantial compliance with those
221 procedures is a condition precedent to a motion to vacate an award on
222 that ground under subdivision (2) of subsection (a) of section 25 of this
223 act.

224 Sec. 14. (NEW) (*Effective October 1, 2005*) If there is more than one
225 arbitrator, the powers of an arbitrator must be exercised by a majority
226 of the arbitrators, but all of them shall conduct the hearing under
227 subsection (c) of section 16 of this act.

228 Sec. 15. (NEW) (*Effective October 1, 2005*) (a) An arbitrator or an
229 arbitration organization acting in that capacity is immune from civil
230 liability to the same extent as a judge of a court of this state acting in a
231 judicial capacity.

232 (b) The immunity afforded by this section supplements any
233 immunity under other law.

234 (c) The failure of an arbitrator to make a disclosure required by
235 section 13 of this act does not cause any loss of immunity under this
236 section.

237 (d) In a judicial, administrative or similar proceeding, an arbitrator
238 or representative of an arbitration organization is not competent to
239 testify and may not be required to produce records as to any
240 statement, conduct, decision or ruling occurring during the arbitration
241 proceeding, to the same extent as a judge of a court of this state acting
242 in a judicial capacity. This subsection does not apply:

243 (1) To the extent necessary to determine the claim of an arbitrator,
244 arbitration organization or representative of the arbitration
245 organization against a party to the arbitration proceeding; or

246 (2) To a hearing on a motion to vacate an award under subdivision
247 (1) or (2) of subsection (a) of section 25 of this act if the moving party
248 establishes prima facie that a ground for vacating the award exists.

249 (e) If a person commences a civil action against an arbitrator,
250 arbitration organization or representative of an arbitration
251 organization arising from the services of the arbitrator, organization or
252 representative or if a person seeks to compel an arbitrator or a
253 representative of an arbitration organization to testify or produce
254 records in violation of subsection (d) of this section, and the court
255 decides that the arbitrator, arbitration organization or representative of
256 an arbitration organization is immune from civil liability or that the
257 arbitrator or representative of the organization is not competent to
258 testify, the court shall award to the arbitrator, organization or
259 representative reasonable attorney's fees and other reasonable
260 expenses of litigation.

261 Sec. 16. (NEW) (*Effective October 1, 2005*) (a) An arbitrator may
262 conduct an arbitration in such manner as the arbitrator considers
263 appropriate for a fair and expeditious disposition of the proceeding.
264 The authority conferred upon the arbitrator includes the power to hold
265 conferences with the parties to the arbitration proceeding before the
266 hearing and, among other matters, determine the admissibility,
267 relevance, materiality and weight of any evidence.

268 (b) An arbitrator may decide a request for summary disposition of a
269 claim or particular issue:

270 (1) If all interested parties agree; or

271 (2) Upon request of one party to the arbitration proceeding if that
272 party gives notice to all other parties to the proceeding, and the other
273 parties have a reasonable opportunity to respond.

274 (c) If an arbitrator orders a hearing, the arbitrator shall set a time
275 and place and give notice of the hearing not less than five days before
276 the hearing begins. Unless a party to the arbitration proceeding makes
277 an objection to lack or insufficiency of notice not later than the
278 beginning of the hearing, the party's appearance at the hearing waives
279 the objection. Upon request of a party to the arbitration proceeding

280 and for good cause shown, or upon the arbitrator's own initiative, the
 281 arbitrator may adjourn the hearing from time to time as necessary but
 282 may not postpone the hearing to a time later than that fixed by the
 283 agreement to arbitrate for making the award unless the parties to the
 284 arbitration proceeding consent to a later date. The arbitrator may hear
 285 and decide the controversy upon the evidence produced although a
 286 party who was duly notified of the arbitration proceeding did not
 287 appear. The court, on request, may direct the arbitrator to conduct the
 288 hearing promptly and render a timely decision.

289 (d) At a hearing under subsection (c) of this section, a party to the
 290 arbitration proceeding has a right to be heard, to present evidence
 291 material to the controversy and to cross-examine witnesses appearing
 292 at the hearing.

293 (e) If an arbitrator ceases or is unable to act during the arbitration
 294 proceeding, a replacement arbitrator must be appointed in accordance
 295 with section 12 of this act to continue the proceeding and to resolve the
 296 controversy.

297 Sec. 17. (NEW) (*Effective October 1, 2005*) A party to an arbitration
 298 proceeding may be represented by a lawyer.

299 Sec. 18. (NEW) (*Effective October 1, 2005*) (a) An arbitrator may issue
 300 a subpoena for the attendance of a witness and for the production of
 301 records and other evidence at any hearing and may administer oaths.
 302 A subpoena must be served in the manner for service of subpoenas in
 303 a civil action and, upon motion to the court by a party to the
 304 arbitration proceeding or the arbitrator, enforced in the manner for
 305 enforcement of subpoenas in a civil action.

306 (b) In order to make the proceedings fair, expeditious and cost
 307 effective, upon request of a party to or a witness in an arbitration
 308 proceeding, an arbitrator may permit a deposition of any witness to be
 309 taken for use as evidence at the hearing, including a witness who
 310 cannot be subpoenaed for or is unable to attend a hearing. The

311 arbitrator shall determine the conditions under which the deposition is
312 taken.

313 (c) An arbitrator may permit such discovery as the arbitrator
314 decides is appropriate in the circumstances, taking into account the
315 needs of the parties to the arbitration proceeding and other affected
316 persons and the desirability of making the proceeding fair, expeditious
317 and cost effective.

318 (d) If an arbitrator permits discovery under subsection (c) of this
319 section, the arbitrator may order a party to the arbitration proceeding
320 to comply with the arbitrator's discovery-related orders, issue
321 subpoenas for the attendance of a witness and for the production of
322 records and other evidence at a discovery proceeding, and take action
323 against a noncomplying party to the extent a court could if the
324 controversy were the subject of a civil action in this state.

325 (e) An arbitrator may issue a protective order to prevent the
326 disclosure of privileged information, confidential information, trade
327 secrets and other information protected from disclosure to the extent a
328 court could if the controversy were the subject of a civil action in this
329 state.

330 (f) All laws compelling a person under subpoena to testify and all
331 fees for attending a judicial proceeding, a deposition or a discovery
332 proceeding as a witness apply to an arbitration proceeding as if the
333 controversy were the subject of a civil action in this state.

334 (g) The court may enforce a subpoena or discovery-related order for
335 the attendance of a witness within this state and for the production of
336 records and other evidence issued by an arbitrator in connection with
337 an arbitration proceeding in another state upon conditions determined
338 by the court so as to make the arbitration proceeding fair, expeditious
339 and cost effective. A subpoena or discovery-related order issued by an
340 arbitrator in another state must be served in the manner provided by
341 law for service of subpoenas in a civil action in this state and, upon

342 motion to the court by a party to the arbitration proceeding or the
343 arbitrator, enforced in the manner provided by law for enforcement of
344 subpoenas in a civil action in this state.

345 Sec. 19. (NEW) (*Effective October 1, 2005*) If an arbitrator makes a
346 preaward ruling in favor of a party to the arbitration proceeding, the
347 party may request the arbitrator to incorporate the ruling into an
348 award under section 20 of this act. A prevailing party may make a
349 motion to the court for an expedited order to confirm the award under
350 section 24 of this act, in which case the court shall summarily decide
351 the motion. The court shall issue an order to confirm the award unless
352 the court vacates, modifies or corrects the award under section 25 or 26
353 of this act.

354 Sec. 20. (NEW) (*Effective October 1, 2005*) (a) An arbitrator shall make
355 a record of an award. The record must be signed or otherwise
356 authenticated by any arbitrator who concurs with the award. The
357 arbitrator or the arbitration organization shall give notice of the award,
358 including a copy of the award, to each party to the arbitration
359 proceeding.

360 (b) An award must be made within the time specified by the
361 agreement to arbitrate or, if not specified therein, within the time
362 ordered by the court. The court may extend or the parties to the
363 arbitration proceeding may agree in a record to extend the time. The
364 court or the parties may do so within or after the time specified or
365 ordered. A party waives any objection that an award was not timely
366 made unless the party gives notice of the objection to the arbitrator
367 before receiving notice of the award.

368 Sec. 21. (NEW) (*Effective October 1, 2005*) (a) On motion to an
369 arbitrator by a party to an arbitration proceeding, the arbitrator may
370 modify or correct an award:

371 (1) Upon a ground stated in subdivision (1) or (3) of subsection (a)
372 of section 26 of this act;

373 (2) Because the arbitrator has not made a final and definite award
374 upon a claim submitted by the parties to the arbitration proceeding; or

375 (3) To clarify the award.

376 (b) A motion under subsection (a) of this section must be made and
377 notice given to all parties within twenty days after the moving party
378 receives notice of the award.

379 (c) A party to the arbitration proceeding must give notice of any
380 objection to the motion within ten days after receipt of the notice.

381 (d) If a motion to the court is pending under section 24, 25 or 26 of
382 this act, the court may submit the claim to the arbitrator to consider
383 whether to modify or correct the award:

384 (1) Upon a ground stated in subdivision (1) or (3) of subsection (a)
385 of section 26 of this act;

386 (2) Because the arbitrator has not made a final and definite award
387 upon a claim submitted by the parties to the arbitration proceeding; or

388 (3) To clarify the award.

389 (e) An award modified or corrected pursuant to this section is
390 subject to subsection (a) of section 20 and sections 24, 25 and 26 of this
391 act.

392 Sec. 22. (NEW) (*Effective October 1, 2005*) (a) An arbitrator may
393 award punitive damages or other exemplary relief if such an award is
394 authorized by law in a civil action involving the same claim and the
395 evidence produced at the hearing justifies the award under the legal
396 standards otherwise applicable to the claim.

397 (b) An arbitrator may award reasonable attorney's fees and other
398 reasonable expenses of arbitration if such an award is authorized by
399 law in a civil action involving the same claim or by the agreement of
400 the parties to the arbitration proceeding.

401 (c) As to all remedies other than those authorized by subsections (a)
402 and (b) of this section, an arbitrator may order such remedies as the
403 arbitrator considers just and appropriate under the circumstances of
404 the arbitration proceeding. The fact that such a remedy could not or
405 would not be granted by the court is not a ground for refusing to
406 confirm an award under section 24 of this act or for vacating an award
407 under section 25 of this act.

408 (d) An arbitrator's expenses and fees, together with other expenses,
409 must be paid as provided in the award.

410 (e) If an arbitrator awards punitive damages or other exemplary
411 relief under subsection (a) of this section, the arbitrator shall specify in
412 the award the basis in fact justifying and the basis in law authorizing
413 the award and state separately the amount of the punitive damages or
414 other exemplary relief.

415 Sec. 23. (NEW) (*Effective October 1, 2005*) Any application under
416 section 24, 25 or 26 of this act shall be heard in the manner provided by
417 law for hearing written motions at a short calendar session, or
418 otherwise as the court may direct, in order to dispose of the case with
419 the least possible delay.

420 Sec. 24. (NEW) (*Effective October 1, 2005*) After a party to an
421 arbitration proceeding receives notice of an award, the party may
422 make a motion to the court for an order confirming the award at which
423 time the court shall issue a confirming order unless the award is
424 modified or corrected pursuant to section 21 or 26 of this act or is
425 vacated pursuant to section 25 of this act.

426 Sec. 25. (NEW) (*Effective October 1, 2005*) (a) Upon motion to the
427 court by a party to an arbitration proceeding, the court shall vacate an
428 award made in the arbitration proceeding if:

429 (1) The award was procured by corruption, fraud or other undue
430 means;

431 (2) There was: (A) Evident partiality by an arbitrator appointed as a
432 neutral arbitrator; (B) corruption by an arbitrator; or (C) misconduct by
433 an arbitrator prejudicing the rights of a party to the arbitration
434 proceeding;

435 (3) An arbitrator refused to postpone the hearing upon showing of
436 sufficient cause for postponement, refused to consider evidence
437 material to the controversy, or otherwise conducted the hearing
438 contrary to section 16 of this act, so as to prejudice substantially the
439 rights of a party to the arbitration proceeding;

440 (4) An arbitrator exceeded the arbitrator's powers;

441 (5) There was no agreement to arbitrate, unless the person
442 participated in the arbitration proceeding without raising the objection
443 under subsection (c) of section 16 of this act not later than the
444 beginning of the arbitration hearing; or

445 (6) The arbitration was conducted without proper notice of the
446 initiation of an arbitration as required in section 10 of this act so as to
447 prejudice substantially the rights of a party to the arbitration
448 proceeding.

449 (b) Except for a labor arbitration pursuant to section 31-97 of the
450 general statutes, as amended by this act, a motion under this section
451 must be filed within ninety days after the moving party receives notice
452 of the award pursuant to section 20 of this act or within ninety days
453 after the moving party receives notice of a modified or corrected
454 award pursuant to section 21 of this act, unless the moving party
455 alleges that the award was procured by corruption, fraud or other
456 undue means, in which case the motion must be made within ninety
457 days after the ground is known or by the exercise of reasonable care
458 would have been known by the moving party.

459 (c) If the court vacates an award on a ground other than that set
460 forth in subdivision (5) of subsection (a) of this section, it may order a

461 rehearing. If the award is vacated on a ground stated in subdivision (1)
462 or (2) of subsection (a) of this section, the rehearing must be before a
463 new arbitrator. If the award is vacated on a ground stated in
464 subdivision (3), (4) or (6) of subsection (a) of this section, the rehearing
465 may be before the arbitrator who made the award or the arbitrator's
466 successor. The arbitrator must render the decision in the rehearing
467 within the same time as that provided in subsection (b) of section 20 of
468 this act for an award.

469 (d) If the court denies a motion to vacate an award, it shall confirm
470 the award unless a motion to modify or correct the award is pending.

471 (e) Any party filing a motion under subsection (a) of this section
472 concerning an arbitration award issued by the State Board of
473 Mediation and Arbitration shall notify said board and the Attorney
474 General, in writing, of such motion not later than five days from the
475 date of filing.

476 Sec. 26. (NEW) (*Effective October 1, 2005*) (a) Except for a labor
477 arbitration pursuant to section 31-97 of the general statutes, as
478 amended by this act, upon motion made within ninety days after the
479 moving party receives notice of the award pursuant to section 20 of
480 this act or within ninety days after the moving party receives notice of
481 a modified or corrected award pursuant to section 21 of this act, the
482 court shall modify or correct the award if:

483 (1) There was an evident mathematical miscalculation or an evident
484 mistake in the description of a person, thing or property referred to in
485 the award;

486 (2) The arbitrator has made an award on a claim not submitted to
487 the arbitrator and the award may be corrected without affecting the
488 merits of the decision upon the claims submitted; or

489 (3) The award is imperfect in a matter of form not affecting the
490 merits of the decision on the claims submitted.

491 (b) If a motion made under subsection (a) of this section is granted,
492 the court shall modify or correct and confirm the award as modified or
493 corrected. Otherwise, unless a motion to vacate is pending, the court
494 shall confirm the award.

495 (c) A motion to modify or correct an award pursuant to this section
496 may be joined with a motion to vacate the award.

497 Sec. 27. (NEW) (*Effective October 1, 2005*) (a) Upon granting an order
498 confirming, vacating without directing a rehearing, modifying or
499 correcting an award, the court shall enter a judgment in conformity
500 therewith. The judgment may be recorded, docketed and enforced as
501 any other judgment in a civil action.

502 (b) A court may allow reasonable costs of the motion and
503 subsequent judicial proceedings.

504 (c) On application of a prevailing party to a contested judicial
505 proceeding under section 24, 25 or 26 of this act, the court may, if the
506 court finds that the position taken by the other party was frivolous,
507 add reasonable attorney's fees and other reasonable expenses of
508 litigation incurred in a judicial proceeding after the award is made to a
509 judgment confirming, vacating without directing a rehearing,
510 modifying or correcting an award.

511 Sec. 28. (NEW) (*Effective October 1, 2005*) (a) A court of this state
512 having jurisdiction over the controversy and the parties may enforce
513 an agreement to arbitrate.

514 (b) An agreement to arbitrate providing for arbitration in this state
515 confers exclusive jurisdiction on the court to enter judgment on an
516 award under sections 1 to 35, inclusive, of this act.

517 Sec. 29. (NEW) (*Effective October 1, 2005*) A motion pursuant to
518 section 6 of this act must be made in the court for the judicial district in
519 which the agreement to arbitrate specifies the arbitration hearing is to
520 be held or, if the hearing has been held, in the court for the judicial

521 district in which it was held. Otherwise, the motion may be made in
522 the court for any judicial district in which an adverse party resides or
523 has a place of business or, if no adverse party has a residence or place
524 of business in this state, in the court for any judicial district in this
525 state. All subsequent motions must be made in the court hearing the
526 initial motion unless the court otherwise directs.

527 Sec. 30. (NEW) (*Effective October 1, 2005*) (a) An appeal may be taken
528 from:

529 (1) An order denying a motion to compel arbitration;

530 (2) An order granting a motion to stay arbitration;

531 (3) An order confirming or denying confirmation of an award;

532 (4) An order modifying or correcting an award;

533 (5) An order vacating an award without directing a rehearing; or

534 (6) A final judgment entered pursuant to sections 1 to 35, inclusive,
535 of this act.

536 (b) An appeal under this section must be taken as from an order or a
537 judgment in a civil action.

538 Sec. 31. (NEW) (*Effective October 1, 2005*) At any time during an
539 arbitration proceeding, upon request of all the parties to the arbitration
540 proceeding, the arbitrators or an umpire shall make application to any
541 designated court for a decision on any question arising in the course of
542 the arbitration proceeding, provided such parties shall agree in writing
543 that the decision of the court shall be final as to the question
544 determined and that it shall bind the arbitrators in rendering their
545 award. Any application under this section may be heard in the manner
546 provided by law for hearing written motions at a short calendar
547 session, or otherwise as the court may direct.

548 Sec. 32. (NEW) (*Effective October 1, 2005*) (a) Any party applying for

549 an order confirming, modifying or correcting an award shall, at the
 550 time the order is filed with the clerk for the entry of judgment thereon,
 551 file the following papers with the clerk: (1) The agreement to arbitrate;
 552 (2) the selection or appointment, if any, of an additional or substitute
 553 arbitrator or an umpire; (3) any written agreement requiring the
 554 reference of any question as provided in section 31 of this act; (4) each
 555 written extension of the time, if any, within which to make the award;
 556 (5) the award; (6) each notice and other paper used upon an
 557 application to confirm, modify or correct the award; and (7) a copy of
 558 each order of the court upon such an application.

559 (b) The judgment or decree confirming, modifying or correcting an
 560 award shall be docketed as if it were rendered in a civil action. The
 561 judgment or decree so entered shall have the same force and effect in
 562 all respects as, and be subject to all the provisions of law relating to, a
 563 judgment or decree in a civil action, and it may be enforced as if it had
 564 been rendered in a civil action in the court in which it is entered. When
 565 the award requires the performance of any other act than the payment
 566 of money, the court entering the judgment or decree may direct the
 567 enforcement thereof in the manner provided by law for the
 568 enforcement of equitable decrees.

569 Sec. 33. (NEW) (*Effective October 1, 2005*) When the parties to any
 570 action pending in court desire to refer such action to arbitration, each
 571 may choose one arbitrator and the court may appoint a third
 572 arbitrator. The award of such arbitrators, returned to and accepted by
 573 the court, shall be final and judgment shall be rendered pursuant
 574 thereto and execution granted thereon with costs.

575 Sec. 34. (NEW) (*Effective October 1, 2005*) In applying and construing
 576 the uniform provisions of sections 1 to 35, inclusive, of this act,
 577 consideration must be given to the need to promote uniformity of the
 578 law with respect to its subject matter among states that enact such
 579 uniform provisions.

580 Sec. 35. (NEW) (*Effective October 1, 2005*) The provisions of sections 1

581 to 35, inclusive, of this act governing the legal effect, validity or
582 enforceability of electronic records or signatures, and of contracts
583 formed or performed with the use of such records or signatures,
584 conform to the requirements of the Electronic Signatures in Global and
585 National Commerce Act, 15 USC 7002, and supersede, modify and
586 limit said federal act as provided in 15 USC 7002.

587 Sec. 36. Subsection (c) of section 4-61 of the general statutes is
588 repealed and the following is substituted in lieu thereof (*Effective*
589 *October 1, 2006*):

590 (c) Once a notice of claim is given to the agency head as required by
591 subsection (b) of this section, each party shall allow the other to
592 examine and copy any nonprivileged documents which may be
593 relevant either to the claimant's claims or to the state's defenses to such
594 claims. Requests to examine and copy documents which have been
595 prepared by the contractor in order to submit a bid shall be subject to a
596 claim of privilege and grounds for an application to any court [or
597 judge pursuant to section 52-415] for a decision on whether such
598 documents constitute trade secrets or other confidential research,
599 development or commercial information and whether such documents
600 shall not be disclosed to the state or shall be disclosed to the state only
601 in a designated way. Any such documents for which no decision is
602 sought or privilege obtained shall not be subject to disclosure under
603 section 1-210 and shall not be disclosed by the agency to any person or
604 agency that is not a party to the arbitration. Such documents shall be
605 used only for settlement or litigation of the parties' claims. The
606 arbitrators shall determine any issue of relevance of such documents
607 after an in camera inspection. The arbitrators shall seal such
608 documents during arbitration and shall return such documents to the
609 claimant after final disposition of the claim.

610 Sec. 37. Subdivision (10) of subsection (d) of section 7-473c of the
611 general statutes is repealed and the following is substituted in lieu
612 thereof (*Effective October 1, 2006*):

613 (10) The decision of the panel and the resolved issues shall be final
614 and binding upon the municipal employer and the municipal
615 employee organization except as provided in subdivision (12) of this
616 subsection and, if such award is not rejected by the legislative body
617 pursuant to said subdivision, except that a motion to vacate or modify
618 such decision may be made in accordance with sections [52-418 and
619 52-419] 25 and 26 of this act.

620 Sec. 38. Subdivision (15) of subsection (d) of section 7-473c of the
621 general statutes is repealed and the following is substituted in lieu
622 thereof (*Effective October 1, 2006*):

623 (15) Within five days after the completion of such review, the
624 arbitrators or single arbitrator shall render a decision with respect to
625 each rejected issue which shall be final and binding upon the
626 municipal employer and the employee organization except that a
627 motion to vacate or modify such award may be made in accordance
628 with sections [52-418 and 52-419] 25 and 26 of this act. The decision of
629 the arbitrators or single arbitrator shall be in writing and shall include
630 specific reasons and standards used by each arbitrator in making a
631 decision on each issue. The decision shall be filed with the parties. The
632 reasonable costs of the arbitrators or single arbitrator and the cost of
633 the transcript shall be paid by the legislative body. Where the
634 legislative body of a municipal employer is the town meeting, the
635 board of selectmen shall perform all of the duties and shall have all of
636 the authority and responsibilities required of and granted to the
637 legislative body under this subsection.

638 Sec. 39. Subdivision (5) of section 7-478e of the general statutes is
639 repealed and the following is substituted in lieu thereof (*Effective*
640 *October 1, 2006*):

641 (5) The panel shall conclude the hearing within fifteen days after its
642 commencement. Within ten days after the hearing, the panel shall
643 issue, upon majority vote, and file with the State Board of Mediation
644 and Arbitration its decision which shall immediately and

645 simultaneously distribute a copy thereof to each party. In making its
646 decision, the panel shall accept the last best offer of either of the
647 parties. As part of the arbitration decision, each member shall state the
648 specific reasons and standards in making a choice on each unresolved
649 issue. In arriving at its decision, the panel shall be limited to the
650 consideration of the criteria set forth in subdivision (2) of subsection
651 (d) of section 7-473c. The decision of the panel shall be final and
652 binding upon the municipal employer and the municipal employee
653 organization except as provided in section 7-478f, as amended by this
654 act, and, if such award is not rejected by the legislative body pursuant
655 to section 7-478f, as amended by this act, except that a motion to vacate
656 or modify such decision may be made in accordance with sections [52-
657 418 and 52-419] 25 and 26 of this act.

658 Sec. 40. Subdivision (4) of section 7-478f of the general statutes is
659 repealed and the following is substituted in lieu thereof (*Effective*
660 *October 1, 2006*):

661 (4) Not later than December 15, 2000, after the completion of such
662 review, the arbitrators or single arbitrator shall render a written
663 decision with respect to each rejected issue which shall be final and
664 binding upon the municipal employer and the employee organization
665 except that a motion to vacate or modify such award may be made in
666 accordance with sections [52-418 and 52-419] 25 and 26 of this act. The
667 arbitrators or single arbitrator shall accept the last best offer of either of
668 the parties. The decision of the arbitrators or single arbitrator shall be
669 in writing and shall include specific reasons and standards used by
670 each arbitrator in making a decision on each issue. The decision shall
671 be filed with the parties. The reasonable costs of the arbitrators or
672 single arbitrator and the cost of the transcript shall be paid by the
673 legislative body. Where the legislative body of a municipal employer is
674 the town meeting, the board of selectmen shall perform all of the
675 duties and shall have all of the authority and responsibilities required
676 of and granted to the legislative body under this subsection.

677 Sec. 41. Section 10-153m of the general statutes is repealed and the
678 following is substituted in lieu thereof (*Effective October 1, 2006*):

679 In any action brought pursuant to section [52-418] 25 of this act to
680 vacate an arbitration award rendered in a controversy between a board
681 of education and a teacher or the organization which is the exclusive
682 representative of a group of teachers, or to confirm, pursuant to section
683 [52-417] 24 of this act, such an arbitration award, reasonable attorney's
684 fees and costs may be awarded in accordance with the following: (1)
685 Where the board of education moves to vacate an award and the
686 award is not vacated, the court may award reasonable attorney's fees
687 and costs to the teacher; (2) where the teacher moves to vacate an
688 award and the award is not vacated, the court may award reasonable
689 attorney's fees and costs to the board of education; (3) where the
690 teacher moves to confirm an award, if the board of education refuses
691 to stipulate to such confirmation and if the award is confirmed, the
692 court may award reasonable attorney's fees and costs to the teacher; or
693 (4) where the board of education moves to confirm an award, if the
694 teacher refuses to stipulate to such confirmation and if the award is
695 confirmed, the court may award reasonable attorney's fees and costs to
696 the board of education.

697 Sec. 42. Section 31-92a of the general statutes is repealed and the
698 following is substituted in lieu thereof (*Effective October 1, 2006*):

699 (a) Each public member of the Board of Mediation and Arbitration,
700 including alternates, shall be sworn once at the beginning of his term
701 of office (1) to support the Constitution of the United States, and the
702 Constitution of the state of Connecticut, so long as he continues a
703 citizen thereof, (2) to faithfully discharge, according to law, the duties
704 of the office of member of the Board of Mediation and Arbitration for
705 the state of Connecticut to the best of his abilities, (3) to hear and
706 examine all matters in controversy which come before him during his
707 term faithfully and fairly, and (4) to make a just award according to the
708 best of his understanding. Notwithstanding the provisions of

709 [subsection (d) of section 52-414] section 18 of this act, the taking of this
710 oath shall cover all matters heard during the term and the completion
711 of any matter pending at the expiration of such term.

712 (b) Each member of the Board of Mediation and Arbitration
713 representing the interests of employees or employers, including
714 alternate members, shall be sworn once at the beginning of his term of
715 office (1) to support the Constitution of the United States, and the
716 Constitution of the state of Connecticut, so long as he continues a
717 citizen thereof, (2) to faithfully discharge, according to law, the duties
718 of the office of member of the Board of Mediation and Arbitration for
719 the state of Connecticut to the best of his abilities, (3) to represent the
720 interests of employees or employers respectively in hearing and
721 examining all matters in controversy, and (4) to make a just award
722 according to the best of his understanding. Notwithstanding the
723 provisions of [subsection (d) of section 52-414] section 18 of this act, the
724 taking of this oath shall cover all matters heard during the term and
725 the completion of any matter pending at the expiration of such term.

726 Sec. 43. Section 31-97 of the general statutes is amended by adding
727 subsection (c) as follows (*Effective October 1, 2006*):

728 (NEW) (c) No motion to vacate, modify or correct an award
729 pursuant to this section may be made later than thirty days after notice
730 of the award to the moving party.

731 Sec. 44. Subdivision (2) of subsection (b) of section 38a-9 of the
732 general statutes is repealed and the following is substituted in lieu
733 thereof (*Effective October 1, 2006*):

734 (2) The commissioner shall prepare a list of at least ten persons, who
735 have not been employed by the department or an insurance company
736 during the preceding twelve months, to serve as arbitrators in the
737 settlement of such disputes. The arbitrators shall be members of any
738 dispute resolution organization approved by the commissioner. One
739 arbitrator shall be appointed to hear and decide each complaint.

740 Appointment shall be based solely on the order of the list. If an
741 arbitrator is unable to serve on a given day, or if either party objects to
742 the arbitrator, then the next arbitrator on the list will be selected. The
743 department shall schedule arbitration hearings as often, and in such
744 locations, as it deems necessary. Parties to the dispute shall be
745 provided written notice of the hearing, at least ten days prior to the
746 hearing date. The commissioner may issue subpoenas on behalf of the
747 arbitrator to compel the attendance of witnesses and the production of
748 documents, papers and records relevant to the dispute. Decisions shall
749 be made on the basis of the evidence presented at the arbitration
750 hearing. Where the arbitrator believes that technical expertise is
751 necessary to decide a case, he may consult with an independent expert
752 recommended by the commissioner. The arbitrator and any
753 independent technical expert shall be paid by the department on a per
754 dispute basis as established by the commissioner. The arbitrator, as
755 expeditiously as possible, but not later than fifteen days after the
756 arbitration hearing, shall render a written decision based on the
757 information gathered and disclose the findings and the reasons to the
758 parties involved. The arbitrator shall award filing fees to the prevailing
759 party. If the decision favors the consumer the decision shall provide
760 specific and appropriate remedies including interest at the rate of ten
761 per cent on the arbitration award concerning the disputed amount of
762 the claim, retroactive to the date of payment for the undisputed
763 amount of the claim. The decision may include costs for loss of use and
764 storage of the motor vehicle and shall specify a date for performance
765 and completion of all awarded remedies. Notwithstanding any
766 provision of the general statutes or any regulation to the contrary, the
767 Insurance Department shall not amend, reverse, rescind, or revoke any
768 decision or action of any arbitrator. The department shall contact the
769 consumer within ten working days after the date for performance, to
770 determine whether performance has occurred. Either party may make
771 application to the superior court for the judicial district in which one of
772 the parties resides [or, when the court is not in session, any judge
773 thereof] for an order confirming, vacating, modifying or correcting any

774 award, in accordance with the provisions of sections [52-417, 52-418,
775 52-419 and 52-420] 23, 24, 25 and 26 of this act. If it is determined by
776 the court that either party's position after review has been improved
777 by at least ten per cent over that party's position after arbitration, the
778 court, in its discretion, may grant to that party its costs and reasonable
779 attorney's fees. No evidence, testimony, findings, or decision from the
780 department arbitration procedure shall be admissible in any civil
781 proceeding, except judicial review of the arbitrator's decision as
782 contemplated by this subsection.

783 Sec. 45. Subdivision (4) of subsection (c) of section 42-181 of the
784 general statutes is repealed and the following is substituted in lieu
785 thereof (*Effective October 1, 2006*):

786 (4) Any other remedies available under the applicable warranties,
787 section 42-179, this section and sections 42-182 to 42-184, inclusive, or
788 the Magnuson-Moss Warranty-Federal Trade Commission
789 Improvement Act, 88 Stat. 2183 (1975), 15 USC 2301 et seq., as in effect
790 on October 1, 1982, other than repair of the vehicle. The decision shall
791 specify a date for performance and completion of all awarded
792 remedies. Notwithstanding any provision of the general statutes or
793 any regulation to the contrary, the Department of Consumer Protection
794 shall not amend, reverse, rescind or revoke any decision or action of an
795 arbitration panel. The department shall contact the consumer, within
796 ten working days after the date for performance, to determine whether
797 performance has occurred. The manufacturer shall act in good faith in
798 abiding by any arbitration decision. In addition, either party to the
799 arbitration may make application to the superior court for the judicial
800 district in which one of the parties resides [or, when the court is not in
801 session, any judge thereof] for an order confirming, vacating,
802 modifying or correcting any award, in accordance with the provisions
803 of this section and sections [52-417, 52-418, 52-419 and 52-420] 23, 24, 25
804 and 26 of this act. Upon filing such application the moving party shall
805 mail a copy of the application to the Attorney General and, upon entry
806 of any judgment or decree, shall mail a copy of such judgment or

807 decree to the Attorney General. A review of such application shall be
 808 confined to the record of the proceedings before the arbitration panel.
 809 The court shall conduct a de novo review of the questions of law raised
 810 in the application. In addition to the grounds set forth in sections [52-
 811 418 and 52-419] 25 and 26 of this act, the court shall consider questions
 812 of fact raised in the application. In reviewing questions of fact, the
 813 court shall uphold the award unless it determines that the factual
 814 findings of the arbitrators are not supported by substantial evidence in
 815 the record and that the substantial rights of the moving party have
 816 been prejudiced. If the arbitrators fail to state findings or reasons for
 817 the award, or the stated findings or reasons are inadequate, the court
 818 shall search the record to determine whether a basis exists to uphold
 819 the award. If it is determined by the court that the manufacturer has
 820 acted without good cause in bringing an appeal of an award, the court,
 821 in its discretion, may grant to the consumer his costs and reasonable
 822 attorney's fees. If the manufacturer fails to perform all awarded
 823 remedies by the date for performance specified by the arbitrators, and
 824 the enforcement of the award has not been stayed, [pursuant to
 825 subsection (c) of section 52-420,] then each additional day the
 826 manufacturer wilfully fails to comply shall be deemed a separate
 827 violation for purposes of section 42-184.

828 Sec. 46. Sections 52-408 to 52-424, inclusive, of the general statutes
 829 are repealed. (*Effective October 1, 2006*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2005</i>	New section
Sec. 2	<i>October 1, 2005</i>	New section
Sec. 3	<i>October 1, 2005</i>	New section
Sec. 4	<i>October 1, 2005</i>	New section
Sec. 5	<i>October 1, 2005</i>	New section
Sec. 6	<i>October 1, 2005</i>	New section
Sec. 7	<i>October 1, 2005</i>	New section
Sec. 8	<i>October 1, 2005</i>	New section

Sec. 9	<i>October 1, 2005</i>	New section
Sec. 10	<i>October 1, 2005</i>	New section
Sec. 11	<i>October 1, 2005</i>	New section
Sec. 12	<i>October 1, 2005</i>	New section
Sec. 13	<i>October 1, 2005</i>	New section
Sec. 14	<i>October 1, 2005</i>	New section
Sec. 15	<i>October 1, 2005</i>	New section
Sec. 16	<i>October 1, 2005</i>	New section
Sec. 17	<i>October 1, 2005</i>	New section
Sec. 18	<i>October 1, 2005</i>	New section
Sec. 19	<i>October 1, 2005</i>	New section
Sec. 20	<i>October 1, 2005</i>	New section
Sec. 21	<i>October 1, 2005</i>	New section
Sec. 22	<i>October 1, 2005</i>	New section
Sec. 23	<i>October 1, 2005</i>	New section
Sec. 24	<i>October 1, 2005</i>	New section
Sec. 25	<i>October 1, 2005</i>	New section
Sec. 26	<i>October 1, 2005</i>	New section
Sec. 27	<i>October 1, 2005</i>	New section
Sec. 28	<i>October 1, 2005</i>	New section
Sec. 29	<i>October 1, 2005</i>	New section
Sec. 30	<i>October 1, 2005</i>	New section
Sec. 31	<i>October 1, 2005</i>	New section
Sec. 32	<i>October 1, 2005</i>	New section
Sec. 33	<i>October 1, 2005</i>	New section
Sec. 34	<i>October 1, 2005</i>	New section
Sec. 35	<i>October 1, 2005</i>	New section
Sec. 36	<i>October 1, 2006</i>	4-61(c)
Sec. 37	<i>October 1, 2006</i>	7-473c(d)(10)
Sec. 38	<i>October 1, 2006</i>	7-473c(d)(15)
Sec. 39	<i>October 1, 2006</i>	7-478e(5)
Sec. 40	<i>October 1, 2006</i>	7-478f(4)
Sec. 41	<i>October 1, 2006</i>	10-153m
Sec. 42	<i>October 1, 2006</i>	31-92a
Sec. 43	<i>October 1, 2006</i>	31-97
Sec. 44	<i>October 1, 2006</i>	38a-9(b)(2)
Sec. 45	<i>October 1, 2006</i>	42-181(c)(4)
Sec. 46	<i>October 1, 2006</i>	52-408 to 52-424 repealed

Statement of Purpose:

To adopt the Uniform Arbitration Act.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]